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December 15, 2005

Office of The Secretary
Federal Communications Commission
Washington, DC 20554

RE: **MB Docket No. 05-317**
Supplement to Television Station Section 339(a)(2)(D)(vii)
Waiver Request

Ladies and Gentlemen:

Fort Myers Broadcasting Company ("FMBC"), permittee of digital television broadcast Station WINK-DT, Fort Myers, Florida submits the following supplemental information with respect to its pending request for waiver of Section 339(a)(2)(D)(vii) of the Communications Act of 1934, as amended.

FMBC has encountered a further permitting problem with respect to its efforts to construct an addition to its transmitter building to house its DTV transmitter. In March, 2005, FMBC was informed by its civil engineer that it could likely obtain a letter exempting its project from review by the South Florida Water Management District (SFWMD). On December 9, 2005, however, FMBC was informed that SFWMD review would be required for FMBC's proposed construction.

FMBC filed its application with SFWMD December 14, 2005. Staff at the SFWMD will review the proposal within 30 days. If the proposal meets SFWMD review criterion, approval will be granted within 60 days. Sixty additional days for the permitting process would take FMBC to Mid-February before it could begin construction of the transmitter building addition needed to complete construction of WINK-DT. FMBC cannot predict the

ultimate timing this process, other than to state that the sixty day time frame was discussed with SFWMD staff and represents the time for considering a meritorious permit application

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph A. Belisle". The signature is fluid and cursive, with the first name "Joseph" being more prominent.

Joseph A. Belisle
Counsel for
Fort Myers Broadcasting Company

JAB/kp

cc: Nazifa Sawez, Esq.
Mr. Gary Gardner

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